

मुख्य पोस्ट मास्टर जनरल डाक
परिमंडल, के पत्र क्रमांक 22/153,
दिनांक 10-1-06 द्वारा पूर्व भुगतान
योजनान्तर्गत डाक व्यय की पूर्व अदायगी
डाक द्वारा भेजे जाने के लिए अनुमत.



पंजी. क्रमांक भोपाल डिवीजन
म. प्र.-108-भोपाल-09-11.

मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 459]

भोपाल, मंगलवार, दिनांक 21 सितम्बर 2010—भाद्र 30, शक 1932

लोक सेवा प्रबंधन विभाग
मंत्रालय, वल्लभ भवन, भोपाल

Bhopal, the 21st September 2010

S. No. F 318-05-02-53-01-2010.—In exercise of the powers conferred by sub-section (1) of Section 10 of the Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee Adhiniyam, 2010 (No. 24 of 2010), the State Government, hereby makes the following rules for laying down the procedure for application, appeal, revision, recovery of penalty and payment of compensation, namely:—

RULES

1. **Short title and commencement.**—(1) These rules may be called The Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee (Avedan, Appeal, Punrikshan, Shasti Ki Vasuli Tatha Pratikar Ka Bhugtan) Niyam, 2010.

(2) They shall come into force from 25th September, 2010.

2. **Definitions.**—(1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Madhya Pradesh Lok Sewaon Ke Pradan Ki Guarantee Adhiniyam, 2010 (No. 24 of 2010);
- (b) “Form” means the Form appended to these rules;
- (c) “Revision Officer” means an officer nominated by the State Government for the purpose of revision under section 8 of the Act;
- (d) “Section” means the section of the Act.

(2) The words and expression used in these rules but not defined shall have the same meaning as assigned to them in the Act.

3. **Authorisation by Designated Officer for receiving the application.**—The designated Officer may, by order, authorise any of his sub-ordinate officer or employee to receive the applications and to issue the acknowledgement thereof.

4. **Issuing of acknowledgement to applicant.**—The person authorised under rule 3 shall give acknowledgement to the applicant in Form - 1 and if necessary documents have not been annexed with the application, then it shall be clearly mentioned in the acknowledgement and in such acknowledgement the stipulated time limit shall not be mentioned :

Provided that if the necessary documents are annexed with the application then the last date of the stipulated time limit shall be mentioned in the acknowledgement.

5. Public holidays not included in the Stipulated time - limit.—In computing the stipulated time limit in providing the services, the public holidays shall not be included.

6. Display of information on the notice board.—The designated officer shall cause to exhibit the relevant information of the services on a notice board installed at a conspicuous place of his office for the convenience of general public. The necessary documents to be attached with an application for obtaining notified services shall be displayed on the notice board.

7. Exemption of Court Fees.—No court fees shall be payable along with an application for appeal or revision.

8. Contents of Application for Appeal and Revision.—The following information shall be included in an application for appeal or revision, as the case may be, filed to the First Appeal Officer, Second Appellate Authority or the Revision Officer, namely :—

- (i) name and address of the appellant and the person seeking revision;
- (ii) the name and address of the designated officer, first appeal officer or second appellate authority, as the case may be, against the decision of which the appeal or revision is filed;
- (iii) particulars of the order against which the appeal or revision is made;
- (iv) if the appeal is against the refusal of acknowledgement of the application by the designated officer, then the date of application and the name and address of the designated officer to whom the application was presented;
- (v) the grounds for appeal or revision;
- (vi) the relief sought, and
- (vii) any other relevant information which is necessary for the disposal of appeal or revision.

9. Documents to be annexed with appeal or revision.—The following documents shall be annexed with every application for appeal or revision, namely :—

- (i) self-attested copy of the order against which the appeal or revision is made;
- (ii) the copies of the documents mentioned in the application for appeal or revision;
- (iii) the index of the documents annexed with the application for appeal or revision;
- (iv) the proof of depositing penalty, in case of application for revision and without such proof no application for revision shall be admitted for hearing.

10. Procedure for deciding appeal or revision.—In deciding the application for appeal or revision—

- (i) the relevant documents, public documents or copies thereof shall be inspected;
- (ii) any officer may be authorised for appropriate inquiry, if required;
- (iii) designated officer or first appeal officer, as the case may be, may be heard in revision.

11. Service of notice of hearing.—The notice of hearing of application for appeal or revision shall be served in any of the following manner :—

- (i) by the party himself;
- (ii) by hand delivery (dasti) through process server;
- (iii) by the registered post with due acknowledgement; or
- (iv) through the department.

12. Personal appearance of the appellant or person at revision.—(1) In every case the appellant or the person at revision shall be intimated with the date of hearing, at least seven clear days prior to such date of hearing.

(2) The appellant or the person at revision, as the case may be, may present in person in the hearing of application for appeal or revision, or may opt not to be present in the hearing.

(3) If it is satisfied that the circumstances exist due to which the appellant or the person at revision is prevented to be present at the hearing, then before taking the final decision one opportunity of hearing shall be given to the appellant or the person at revision or any other appropriate action may be taken which seems fit.

(4) If any party remains absent after due service of notice of the fixed date of hearing, then the application for appeal or revision, as the case may be, shall be disposed in his absence or dismissed due to non-appearance.

13. Order in appeal or revision.—(1) The order of appeal or revision shall be pronounced in open proceedings and shall be in writing by the first appeal officer, second appellate authority or revision officer, as the case may be.

(2) The copy of first appeal order shall be given to the appellant and designated officer.

(3) The copy of second appeal order shall be given to the appellant, designated officer and first appeal officer.

(4) In case of imposing penalty, the second appellate authority shall endorse a copy of order to the concerning—

- (a) Drawing and Disbursing Officer, with the direction to recover the amount of penalty from next salary of the first appeal officer;
- (b) Treasury; and
- (c) Disciplinary Authority.

(5) In the case of recommending the departmental enquiry of the designating officer or first appeal officer, as the case may be, the second appellate authority shall send the order passed against him along with his recommendations to the concerning disciplinary authority.

(6) Where the revision officer, after hearing of the application of revision, amends the order of second appellate authority, then he shall send a copy of the order to the second appellate authority and the officers specified under sub-rule (4).

14. Recovery of penalty.—(1) On receiving the order of imposition of penalty under sub-rule (4) of rule 13, the drawing and disbursing officer shall recover the amount of penalty from the next salary of the designated officer or first appeal officer, as the case may be, and deposit it under the head 0070 (60) (800) and send a copy of challan to the concerning second appellate authority.

(2) If in revision any amendment is made in the order of second appellate authority then concerning drawing and disbursing officer shall comply with such order.

15. Payment of compensation.—(1) In the case of order of payment of compensation to the applicant under sub-section (3) of Section 7, the second appellate authority shall order to make payment within thirty days.

(2) Any amendment in the amount of penalty in revision, shall not affect the payment of amount of compensation.

16. Maintenance of record of disposed cases under the Act.—The designated officer, first appeal officer, second appellate authority and revision officer shall maintain the record of the cases in Form 3, 4, 5 and 6.

17. Monitoring and inspection.—The State Government may issue the directions from time to time for effective implementation of the provisions of the Act, superintendence of the cases filed under the Act and for the inspection of the offices of the first appeal officer, second appellate authority, revision officer and drawing and disbursing officer.

FORM 1
(See rule 5)

**FORM OF ACKNOWLEDGEMENT UNDER THE MADHYA PRADESH LOK SEWAON KE PRADAN KI
GUARANTEE ADHINIYAM, 2010**

Name of the Designated Officer
and Office Address

1. Name and address of the applicant
2. Date of receiving application in the office of designated officer.
3. Name of the service for which the application is given.
4. Particulars of the documents which are essential for receiving service, but are not enclosed with the application
5. Last date of the stipulated time limit

Place:

Date:

Signature of Recipient
Name and Designation with Seal.

Note.—In case of not receiving all the documents with the application, the last date mentioned in point 5 above shall not be given.

FORM 2
(See rule 6)

FORM OF NOTICE BOARD

Name, designation and Office of the designated officer

S. No.	Notified service	Documents to be annexed with the application	Stipulated time limit for the services	Designation and address of the first appeal officer	Stipulated time limit for the disposal of first appeal	Designation and address of the second appellate authority
(1)	(2)	(3)	(4)	(5)	(6)	(7)

1. Name of the person authorised to receive application in the office of designated officer
2. Time limit for filing first appeal— Within thirty days from the decision of designated officer.
3. Time limit for filing second appeal— Within sixty days from the decision of first appeal officer.

Please obtain acknowledgement of your application compulsorily

FORM 2
(See rule 16)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF DESIGNATED OFFICER

Name of the Office of the designated officer

Month Year

S. No.	Name and address of applicant	Service for which the application is given	Last date of the stipulated time limit	Application allowed/ disallowed	Date and details of the order passed
(1)	(2)	(3)	(4)	(5)	(6)

FORM 4
(See rule 16)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF FIRST APPEAL OFFICER

Name of the Office of the first appeal officer

S. No.	Name and address of appellant	Date of filing first appeal	Designation of the Designated Officer (Along with the name of office) against the decision of whom the appeal is filed	Last date of the stipulated time limit	Date and detail of order in appeal
(1)	(2)	(3)	(4)	(5)	(6)

FORM 5
(See rule 16)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF SECOND APPELLATE AUTHORITY

Name of the Office of the Second Appellate Authority

S. No.	Name and address of appellant	Date of filing second appeal	Designation of the First Appeal Officer (Along with the name of office) against decision of whom the second appeal is filed	Details of disposal of second appeal (a) dismissal . . . (b) penalty. (c) recommendation of departmental enquiry (d) payment of compensation	Date of recovery of penalty	Date of payment of amount of compensation	Follow up action regarding recommendations of Departmental Enquiry	Details of order of revision
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

FORM 6
(See rule 16)

FORM OF REGISTER TO BE MAINTAINED IN THE OFFICE OF REVISION OFFICER

Name of the Office of the Revision Officer

S. No.	Name, designation and address of the Person in revision	Details of order against which the revision is made	Details of proof of depositing penalty	Details of order of revision	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

By order and in the name of the Governor of Madhya Pradesh,
VEENA VERMA, Dy. Secy.